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MAY 3 - 1991

Federal Communications Commission
Office of the Secretary

May 3, 1991

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: Amendment of the the Commission's Rules
Regarding Grandfathered Short-Spaced
Stations
RM-7651

Dear Ms. Searcy:

I am transmitting herewith on behalf of Par Broadcasting Company an original and nine copies of a "Request to File Supplement to Statement." The request, under Section 1.405(c), is for permission to file the "Supplement to Statement in Support of Joint Petition" which is submitted separately and simultaneously herewith.

Please contact me if there are any questions in connection with this matter.

Very truly yours,



Christopher C. Smallwood

CCS/md
Enclosures

Before The
Federal Communications Commission
Washington, D.C. 20554

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MAY 3 - 1991

Federal Communications Commission
Office of the Secretary

In the Matter of

Amendment of the Commission's Rules)
Regarding Grandfathered Short-)
Spaced Stations)

RM-7651

To: The Commission

REQUEST TO FILE SUPPLEMENT TO STATEMENT

Par Broadcasting Company, licensee of Stations KGMG AM/FM, Oceanside, California ("Par"), hereby requests permission, under Section 1.405(c) of the Commission's Rules, to file a Supplement to the Statement it filed in support of the above-referenced petition for rulemaking.

1. Par's Statement was filed with the Commission on April 4, 1991. In that Statement, Par supported the petition and urged the Commission to institute a rulemaking looking towards restoring the previous version of Section 73.213 of the Commission's Rules. Specifically, Par supported the petition to the extent it asked that grandfathered short-spaced FM stations be permitted to increase their facilities without regard to whether such increase would further an existing short-spacing towards a third-adjacent station, as they were permitted to freely do before a 1987 rule change.

2. On April 24, 1991, the Commission released a Memorandum Opinion and Order ("MOO"; FCC 91-104) in the matter of Educational Informational Corporation (BPED-840328CA; BPED-880810MA). There the Commission adopted, in the case of educational stations, some of the precise arguments advanced by


Par. Indeed, the Commission's policy as stated in that MOO is directly contrary to that administered by the Commission's staff in the case of noncommercial FM stations, and results in arbitrary treatment.

3. So that this recent Commission decision may be fully brought to the Commission's attention in the context of its deliberations on the above-referenced petition, and so that the Commission may have the opportunity to review and revise its inconsistent approach with respect to short-spaced FM stations, Par respectfully requests that it be allowed to supplement its Statement with the Supplement filed simultaneously herewith. The MOO was issued April 24 and of course it was not possible to include a discussion of that case within the deadline for filing statements in this proceeding. The Supplement will aid the Commission's decision-making process and add to the completeness of the record.

Respectfully submitted,

PAR BROADCASTING COMPANY

By:


Stephen O. Jacobs
Partner

Date: 5/2/91

CERTIFICATE OF SERVICE

I, Christopher C. Smallwood, certify that I have this 3rd day of May, 1991, caused to be delivered via first class mail, postage pre-paid, a copy of the foregoing "Request to File Supplement to Statement" to the following:

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